

REMARKS/ARGUMENTS

Claims 1-12 are pending in this application. Of these pending claims, Claims 1-12 stand rejected. By way of this paper, Claims 1-3, and 5-10 have been amended; Claims 4, 11, and 12 have been cancelled.

Applicants have attached an Appendix with a clean version of the presently pending claims.

The foregoing amendments and following remarks are believed to be fully responsive to the outstanding office action, and are believed to place the application in condition for allowance.

Specification and Claim Objections

A new Abstract is submitted herewith without element numbers. The Claims have been amended to remove the various objections. Claim 12 has been deleted.

Claim Rejections – 35 U.S.C. § 101

Claims 1-8, 11-12 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Applicants have amended the claims to recite sufficient machine structure, therefore, the claims are directed to statutory subject matter.

Claim Rejections – 35 U.S.C. § 112

Claims 1-12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. By way of this paper, the pending Claims have been amended to particularly point out and distinctly claim the subject matter which Applicants regard as the invention so as to overcome the rejection under 35 U.S.C. § 112, second paragraph.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones, Pub No. US 2001/0032335, in view of Beeman et al., Pub No. US 2003/0039410.

Jones describes a picture communication system involving image transmission over a network. Jones also provides authentication means allowing access. In particular, access is granted to subscriber owners or to users that are on an access list or recipient list of a group.

In other words, the system of Jones is based on exclusion of users who have no access but also relies on pre-existing identification and structure of groups. This is done, for example, by the fact that an owner of a group allows certain users to join a group, see paragraphs [0071, 0072].

Jones fails to teach receiving data requests, and fails to teach that first event data is linked to received data messages and that second event data is included in a data request. These are used by the present invention to search for data messages having matching first event data. Jones further fails to mention that the first and second event data are established by telecommunication operator/suppliers. These features of the present invention are important because the invention does not require pre-existing links between the users. Typically, the users are spectators of a sport or of a cultural event, and do not, or not necessarily, know each other.

The invention creates an ad-hoc community allowing data exchange among the community. The present invention avoids data transfer to users not part of the community. The present invention also avoids users receiving images that do not relate to the event. The invention solves these issues with the use of identifiers.

The task of establishing the event data is performed by a third party who is the telecommunication operator. This does not frustrate the user's desire to trigger image exchange but removes, in part, user control of the content or the origin of the data that are likely to be transmitted.

Beeman et al taken in combination with Jones would not have provided guidance for a situation where users do not know each other and where no specific links between users pre-exist image transmittal between them.

The person skilled in the art taking guidance from Jones or Beeman would, therefore, not necessarily have identified the above

mentioned issues and would not have obviously achieved the method as defined by amended claim 1.


The claims that depend directly or indirectly from independent claim 1 include its limitations and are also allowable for the foregoing reasons.

CONCLUSION

It is respectfully submitted that, in view of the above amendments and remarks, this application is now in condition for allowance, prompt notice of which is earnestly solicited.

The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this application towards allowance.

Respectfully submitted,


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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

APPENDIX
Clean Copy of Claims

1 (Currently Amended) A method for sharing multimedia data captured by a plurality of portable devices having a built-in camera and data transmission capability, comprising the steps of:

a server receiving data messages, said data messages transmitted by the portable devices over a communication network and each including at least first event data;

the server linking an identifier to each of said data messages according to its first event data, and saving each of said data messages and its linked identifier in a memory;

the server receiving a data request, the data request transmitted by one of the portable devices over the communication network and comprising at least second event data;

the server searching for at least one data message saved in the memory that is linked to an identifier that matches the second event data of the data request;

the server transmitting said at least one data message saved in the memory over the communication network to said one of the portable devices; and

wherein the first event data and the second event data are provided by a telecommunications operator routing the data messages from the portable devices over the communication network.

2 (Currently Amended) The method of claim 1 wherein the data messages include data relative to images, video clips, sound recordings, text or any combination thereof.

3 (Currently Amended) The method of claim 1, wherein the first event data include location data and date of transmission of the data messages transmitted by the portable devices over the communication network.

4 (Canceled)

5 (Currently Amended) The method of claim 1, further comprising linking each of the data message with a second identifier that is performed by the telecommunications operator or by an image sharing service provider.

6 (Currently Amended) The method of claim 1, wherein the step of the server transmitting is conditional upon whether said one of the portable devices that transmitted the data request is associated with a server subscription to a sharing service, payment of a subscription, supply of multimedia data, place of transmission of one of the data messages, or place of transmission of the data request.

7 (Currently Amended) The method of claim 6, wherein the data request includes at least one datum indicating any one of: the server subscription to the sharing service, the payment of the subscription, the supply of the multimedia data, the place of transmission of said one of the data messages, or the place of transmission of the data request.

8 (Currently Amended) The method of claim 7, wherein the at least one datum comprises the first event data included in the data message.

9 (Currently Amended) The method of claim 1, wherein the portable devices are cameras having sound recorders including a connection to a telecommunications network.

10 (Currently Amended) The method of claim 1, wherein the portable devices are mobile phones comprising a viewing screen suited to image or video.

11 (Canceled)

12 (Canceled)